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Attorneys for Defendant, Cross-  
Claimant and Third Party Plaintiff  
MICHAEL FRIEL

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RITA JETTE	)	Case No. C 05-02226 PJH
	)	
Plaintiff,	)	<b>STIPULATION AND ORDER TO</b>
	)	<b>FURTHER EXTEND DEADLINE</b>
vs.	)	<b>FOR DISPOSITIVE MOTIONS</b>
	)	<b>AND CASE MANAGEMENT</b>
GEORGE MCQUEEN; MICHAEL	)	<b>CONFERENCE PENDING</b>
FRIEL,	)	<b>SETTLEMENT</b>
	)	
Defendants.	)	
_____	)	
	)	
AND RELATED CROSS-CLAIM AND	)	
THIRD PARTY COMPLAINT.	)	
_____	)	

Based on the Stipulation of the parties through their respective counsel and for good  
cause shown, the Court enters the following order:

**STIPULATION**

The parties to this action, through their respective counsel of record, hereby

1 stipulate as follows:

2 1. The parties to this action have tentative reached a global settlement, the  
3 consummation of which is made conditional upon the Lake County Superior Court's  
4 ("Lake Court") approval of the settlement payment of \$85,000, plus the \$100,000  
5 already paid as restitution, as fully discharging the restitution order issued by the Lake  
6 Court against Defendant and Cross-Defendant George McQueen ("McQueen") in the  
7 amount of \$352,914.10 in McQueen's criminal case arising out of the same series of  
8 events or transactions as those in the instant action. The Lake Court's hearing  
9 concerning McQueen's compliance with the restitution order was scheduled for  
10 November 3, 2006.

11 2. Thus, the parties previously stipulated to extend the deadline to file  
12 dispositive motions and to continue the case management conference scheduled for  
13 November 9, 2006. The Stipulation and Order to Extend Deadline for Dispositive  
14 Motions and Case Management Conference Pending Settlement ("Previous  
15 Stipulation") was filed with the Court on October 26, 2006, along with the motion of  
16 Defendant, Cross-Complainant and Third Party Plaintiff Michael Friel for  
17 administrative relief. On October 31, 2006, the Court approved the Previous Stipulation  
18 and issued an order extending the deadline for dispositive motions to December 4, 2006,  
19 and continuing the case management conference to December 7, 2006, with the case  
20 management statements to be filed by November 30, 2006.

21 3. On November 3, 2006, the Lake Court continued the compliance hearing  
22 to December 1, 2006, on its own motion for further submittals and brinef. Thus, there is

1 good cause for further postponing the dates set forth in the Court's order approving the  
2 Previous Stipulation.

3 4. Thus, the parties to this action stipulate to further extend the deadline for  
4 dispositive motions for 32 days from December 4, 2006, to January 5, 2007, and to  
5 continue the case management conference from December 7, 2006, to January 11, 2007,  
6 with the case management statement to be filed on January 4, 2006. The parties to this  
7 action respectfully request the Court to approve this Stipulation as the parties had no  
8 control over the Lake Court's compliance hearing being rescheduled.

9 5. This Stipulation may be executed by facsimile in multiple counterparts,  
10 each of which shall be deemed an original and which shall together constitute one and  
11 the same instrument.

12 Dated: November \_\_\_\_, 2006

13 Law Offices of Seth L. Goldstein

14 By: \_\_\_\_\_  
15 Seth L. Goldstein  
16 Attorneys for Plaintiff Rita Jette

17 Dated: November \_\_\_\_, 2006

18 Katzoff & Riggs

19 By: \_\_\_\_\_  
20 Robert R. Riggs  
21 Sung E. Shim  
22 Attorneys for Defendant, Cross-Claimant and  
Third Party Plaintiff  
Michael Friel

Nov 03 2006 4:23PM Law Offices of Seth L. Go (831) 372 9611

p. 4

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fax

02:45:00 p.m. 11-03-2006

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1 Previous Stipulation.

2 4. Thus, the parties to this action stipulate to further extend the deadline for  
3 dispositive motions for 32 days from December 4, 2006, to January 5, 2007, and to  
4 continue the case management conference from December 7, 2006, to January 11, 2007,  
5 with the case management statement to be filed on January 4, 2006. The parties to this  
6 action respectfully request the Court to approve this Stipulation as the parties had no  
7 control over the Lake Court's compliance hearing being rescheduled.

8 5. This Stipulation may be executed by facsimile in multiple counterparts,  
9 each of which shall be deemed an original and which shall together constitute one and  
10 the same instrument.

11 Dated: November 3, 2006

12 Law Offices of Seth L. Goldstein

13 By: 

14 Seth L. Goldstein  
15 Attorneys for Plaintiff Rita Jette

16 Dated: November 3, 2006

17 Katzoff & Riggs

18 By: 

19 Robert R. Riggs  
20 Sung E. Shim  
21 Attorneys for Defendant, Cross-Claimant and  
22 Third Party Plaintiff  
Michael Friel

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3  
STIPULATION AND ORDER TO FURTHER EXTEND DEADLINE FOR DISPOSITIVE MOTIONS AND  
CASE MANAGEMENT CONFERENCE PENDING SETTLEMENT

5105970295

fax

02:25:55 p.m. 11-03-2006

5/9

1 Dated: November 3, 2006

Ewing & Associates

2  
3 By: 

4 Michael Ewing  
5 Attorney for Defendant and Cross-Defendant  
6 George McQueen

7 Dated: November \_\_, 2006

8 By: \_\_\_\_\_

9 Seth L. Goldstein  
10 In Pro Per

11 **ORDER**

12 Pursuant to Stipulation and the Motion for Administrative Relief to Extend  
13 Deadline for Dispositive Motions and Case Management Conference, IT IS SO  
14 ORDERED.

15 Dated: November \_\_, 2006

16 \_\_\_\_\_  
17 Phyllis J. Hamilton  
18 United States District Court Judge

5105970285

fax

02:45:11 p.m. 11-03-2006

5/0

1 Dated: November \_\_\_\_, 2006

2 Ewing & Associates

3 By: \_\_\_\_\_

4 Michael Ewing  
5 Attorney for Defendant and Cross-Defendant  
6 George McQueen

7 Dated: November 3, 2006

8 By: \_\_\_\_\_

9 Seth L. Goldstein  
10 In Pro Per

11 **ORDER**

12 Pursuant to Stipulation and the Motion for Administrative Relief to Extend  
13 Deadline for Dispositive Motions and Case Management Conference, IT IS SO  
14 ORDERED.

15 Dated: November \_\_\_\_, 2006

16 \_\_\_\_\_  
17 Phyllis J. Hamilton  
18 United States District Court Judge

1 Dated: November \_\_\_\_, 2006

Ewing & Associates

2  
3 By: \_\_\_\_\_  
4 Michael Ewing  
5 Attorney for Defendant and Cross-Defendant  
6 George McQueen

7 Dated: November \_\_\_\_, 2006

8 By: \_\_\_\_\_  
9 Seth L. Goldstein  
10 In Pro Per

11 **ORDER**

12 Pursuant to Stipulation and the Motion for Administrative Relief to Extend  
13 Deadline for Dispositive Motions and Case Management Conference, IT IS SO  
14 ORDERED.

15 Dated: November 7, 2006



16  
17 \_\_\_\_\_  
18 Phyllis J. Hamilton  
19 United States District Court Judge  
20  
21  
22

**PROOF OF SERVICE**

I, the undersigned, declare that I am, and was at the time of service of the papers herein referred to, over the age of eighteen (18) years and not a party to the within action or proceeding. I am employed in the County of Alameda, State of California. My business address is 1500 Park Avenue, Suite 300, Emeryville, California 94608. I am familiar with the regular mail collection and processing practices of Katzoff & Riggs for correspondence deposited for mailing with the United States Postal Service. On November 6, 2006, I caused to be served the following document(s):

**STIPULATION AND ORDER TO FURTHER EXTEND DEADLINE FOR DISPOSITIVE MOTIONS AND CASE MANAGEMENT CONFERENCE PENDING SETTLEMENT**

addressed to each such addressee respectively as follows:

**Seth L. Goldstein**  
**Law Offices of Seth L. Goldstein**  
**2100 Garden Road, Suite H-8**  
**Monterey, CA 93940**  
**Tel. (831) 372-9511 / Fax (831) 372-9611**

**Maureen M. Bryan**  
**Scramstad & Bryan, P.C.**  
**2020 Bonifacio Street, Suite B**  
**Concord, CA 94520**  
**Tel. (925) 825-3393 / Fax (925) 825-2875**

**Michael Ewing**  
**Ewing & Associates**  
**P. O. Box 400**  
**995 S. Main Street**  
**Lakeport, CA 95453**  
**Tel. (707) 263-6400 / Fax (707) 263-7047**

I then served the addressees in the following manner:

[X] VIA THE UNITED STATES POSTAL SERVICE by causing a true copy and/or original thereof to be placed in a sealed envelope with postage thereon fully prepaid in the designated area for outgoing mail.

I declare under penalty of perjury, under the laws of the State of California and the United States of America that the foregoing is true and correct. Executed on November 6, 2006, at Emeryville, California.

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**SUNG E. SHIM**